

# **BOARD OF POLICE COMMISSIONERS**

## **Minutes of the Regular Board of Police Commissioners Meeting Thursday, April 7, 2005**

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, April 7, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

### **ATTENDANCE**

#### **Board Members Present**

Arthur Blackwell, II  
Erminia Ramirez  
Jim Holley  
Megan Norris  
Willie Hampton **(ABS)**

#### **Department Personnel Present**

AC Walter Martin  
DC Joyce Motley  
3<sup>rd</sup> DC Paula Lytle  
Lt. Bilal Muhammad  
Sgt. David Babcock  
Atty. Nancy Ninowski  
Civ. Brent Scrutchin

#### **Board Staff Present**

Dante' L. Goss, Executive Director  
E. Lynise Bryant-Weekes, Personnel Director  
Denise R. Hooks, Attorney/Supervising Inv.  
Arnold Sheard, Interim Chief Investigator  
Ainsley Cromwell, Supervising Investigator

### **OTHERS PRESENT**

Ron Scott  
Ms. Walters  
Pamela Turner  
Tawana Morris  
Rick Jones

### **RECORDERS**

John Shikora  
Kellie Williams

1. **CALL TO ORDER**

**Vice-Chairperson Ramirez** called the regular meeting of the Detroit Board of Police Commissioners to order at 3:20 p.m.

2. **APPROVAL OF MINUTES**

- **Thursday, March 31, 2005**

**MOTION:** **Comm. Holley** made the motion to approve the above Minutes.

**SECOND:** **Comm. Norris** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

3. **REPORT FROM THE CHAIR**

There was no report from the Chair.

4. **SECRETARY'S REPORT – EXEC. DIR. GOSS**

**Suspension**

On April 7, 2005, **Police Officer Daniel Mathison**, Badge 152, assigned to the Tenth Precinct, was suspended **without pay** by Chief of Police Ella M. Bully-Cummings.

On March 31, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Police Officer Daniel Mathison, Badge 152, assigned to the Tenth Precinct. More specifically, the complaint alleged that Officer Mathison did solicit a minor over the Internet for sexual acts.

As a result, the Internal Affairs Section initiated an investigation, which revealed the following:

On December 29, 2004, Deputy Linda Findlay of the Macomb County Sheriff's Department, Computer Enforcement Team, began an Internet chat with an individual who identified himself as "Dan." Deputy Findlay (hereinafter decoy) identified herself as a fourteen (14) year old female. Thereafter and until March 30, 2005, the Internet chatting continued between "Dan" and the

decoy, who he believed to be a fourteen (14) year old female. On March 30, 2005, "Dan" asked the decoy to meet him near the bathrooms in Joy Park, located in Clinton Township, Michigan, at 2:30 p.m. for purposes of fellatio as well as sexual intercourse. "Dan" also advised the decoy of the type of vehicle he would be driving.

Surveillance was then established in the aforementioned area and at approximately 2:30 p.m. a vehicle matching the description given to the decoy arrived at Joy Park near the bathrooms. At that time, the driver of the vehicle was taken into custody and subsequently identified as Detroit Police Officer Daniel Mathison.

On March 31, 2005, a felony warrant was issued against Officer Mathison charging him with one (1) count of Child-Sexually Abusive Activity, three (3) counts of Communicating With Another To Commit A Crime Through the Internet (hereinafter Communicating With Another), and one (1) count of Accosting for Immoral Purposes, contrary to MCL 750.145c, MCL 750.145d, and MCL 750.145a. Child-Sexually Abusive Activity is a felony punishable by not more than twenty (20) years in prison and/or a fine of not more than one hundred thousand dollars (\$100,000.00); Communicating With Another is a felony punishable by not more than twenty (20) years in prison and/or a fine of twenty thousand dollars (\$20,000.00), there are two (2) such counts against

Officer Mathison; Communicating With Another is also a felony punishable by four (4) years in prison and/or a fine of not more than ten thousand dollars (\$10,000.00), there is one (1) such count against Officer Mathison; and Accosting for Immoral Purposes is a felony punishable by not more than four (4) years in prison and/or a fine of not more than four thousand dollars (\$4,000.00).

On March 31, 2005, Officer Mathison appeared at the State of Michigan Forty-First District Court for arraignment. A plea of not guilty was entered on Officer Mathison's behalf to the aforementioned charges and a bond was set in the amount of fifty thousand dollars (\$50,000.00) cash/surety/ten percent (10%). At that time, Officer Mathison was remanded to the custody of the Macomb County Jail. The Preliminary Examination date is pending.

Based on the above circumstances, it is recommended that Officer Mathison be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT**

**MANUAL, SERIES 100, DIRECTIVE 102.3-5.7, CONDUCT  
UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions to the above suspension without pay.

**CITIZEN COMPLAINTS RECEIVED**

	<b><u>This Week</u></b>	<b><u>Year to Date</u></b>
<b>2005 - Weekly Count of Complaints:</b>	<b>34</b>	<b>333</b>
<b>2004 - Weekly Count of Complaints:</b>	<b>32</b>	<b>401</b>

- The Office of the Chief Investigator (OCI) closed a total of **45** cases this week.
- The Office of the Chief Investigator submitted **2** cases to the Chief's Office.
- The Chief's Office has reviewed and returned **103** cases to OCI.

**5. REPORT/PRESENTATION – CHIEF OF POLICE**

**DETROIT POLICE DEPARTMENT**

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**REPORT TO THE  
BOARD OF POLICE COMMISSIONERS**



**BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.**

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

**SPECIAL ENFORCEMENT ACTIONS**

During the period of March 29<sup>th</sup> – April 4<sup>th</sup>, the *Narcotics Enforcement and Conspiracy Units* conducted 27 search warrants and 23 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 33 Felony arrests
- ◆ 73 Misdemeanor arrests
- ◆ 6 Juveniles Detained
- ◆ 3,186.04 Grams of cocaine, 569.2 grams of heroin, 8,934.9 grams of marijuana - street value \$2,334,715.00
- ◆ \$31,854.00 U.S. currency

Confiscated:

- ◆ 19 Hand guns
- ◆ 5 Vehicles

### *The Vice Section*

During the week of March 29<sup>th</sup> – April 4<sup>th</sup>, officers of the Vice Section conducted Operation Pressure Point within the boundaries of the 7<sup>th</sup> Precinct. The following are a result of their endeavors:

- ◆ 14 Miscellaneous Ordinances were issued
- ◆ 5 businesses inspected for vice related activities
- ◆ 1 business cited for Michigan Liquor Control Commission (MLCC) violations

### *The Violent Crimes Task Force*

On March 31<sup>st</sup>, officers of the Violent Crimes Task Force received a request from the Mansfield, Ohio Police Department, Canton Police Department and the Ohio Federal Bureau of Investigations office, to assist in locating and arresting two (2) individuals wanted for “Armed Bank Robbery” in the state of Ohio and were believed to be hiding within the boundaries of the city of Detroit. *The officers received information and followed up on leads; as a result of their investigation one (1) man and one (1) woman were arrested without incident for the federal charge of “Armed Bank Robbery.” Further investigation revealed that these two (2) individuals were responsible for several other robberies in the Toledo, Ohio area.*



**TAKING THE GUNS OFF THE STREET !**



**Total Guns Confiscated**  
**Year-To-Date**  
**961**

THIRD PRECINCT

On March 29<sup>th</sup>, officers of the 3<sup>rd</sup> Precinct responded to the Blockbuster Video store located at 6835 Michigan on an "Armed Robbery Just Happened" run. The officers immediately obtained a description and as a result of their investigation one (1) man was arrested for "Armed Robbery – Business", "Felony Firearm" and "Habitual 3<sup>rd</sup> Offense." Confiscated was one (1) handgun.

FIFTH PRECINCT

On March 31<sup>st</sup>, officers of the 5<sup>th</sup> Precinct were on patrol in the area of Jefferson and Connor when the officers observed a vehicle disregard a red signal at a high rate of speed. Subsequent to an investigation one (1) man was arrested for "Carrying Concealed Weapon - Person." Confiscated was one (1) handgun.

SEVENTH PRECINCT

On March 31<sup>st</sup>, officers of the 7<sup>th</sup> Precinct responded to the Charter One Bank located at 8121 Gratiot on a "Bank Robbery in Progress" run. Subsequent to an investigation two (2) men were arrested without incident for "Bank Robbery."

TENTH PRECINCT

On March 30<sup>th</sup>, officers of the 10<sup>th</sup> Precinct while on patrol in the 9300 block of Genesee, observed a vehicle matching the description of one (1) wanted in connection of a firearms violation. Subsequent to an investigation a man was arrested for "Carrying Concealed Weapon – Motor vehicle." Confiscated was one (1) handgun.

TWELFTH PRECINCT

On March 29<sup>th</sup>, officers of the 12<sup>th</sup> Precinct responded to 361 Merton on a "Breaking and Entering in Progress" run. As a result of an investigation two (2) men and one (1) woman were arrested for "Breaking and Entering – Building." All items were returned to the owner at the scene.

THIRTEENTH PRECINCT

On March 30<sup>th</sup>, officers of the 13<sup>th</sup> Precinct responded to 154 Taylor on a "Home Invasion I" run. Subsequent to an investigation one man was arrested for "Parole Violation", "Armed Robbery" and "Home Invasion I."

#### EIGHTH PRECINCT

On April 1<sup>st</sup>, officers of the 8<sup>th</sup> Precinct while on patrol in the area of Burt Rd. and Pembroke observed a man driving a vehicle that matched the description of one wanted in connection with a non fatal shooting. As a result of an investigation one (1) man was arrested without incident for "Assault With Intent to Commit Murder", "Three Counts of Felonious Assault", "Felony Firearm" and "Discharge a Weapon from a Motor Vehicle."

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Chief of Police Ella M. Bully-Cummings

Chairperson Blackwell entered the conference room at 3:27 p.m.

#### **6. PRESENTATION – FORENSIC SERVICES SECTION**

Lt. Bilal Muhammad gave the following PowerPoint presentation:

**(SEE ATTACHMENT)**

#### **QUESTIONS & ANSWERS**

**Comm. Norris** asked when you take fingerprints on a home invasion or robbery or a situation that is not a murder scene, but something slightly less, I know those prints all get into a system somewhere, but is someone actually checking all of those or are they just there for recordkeeping purposes?

**Sgt. David Babcock** stated I am one of the supervisors at the Crime Scene Services Unit. It is a two-tier organization. My people would come to your home and find the fingerprint, if it's visible. Anything by that would be if it is identifying to our eyes, we submit it to the Central Photo Section. It gets photographed and then it is taken to the Latent Print Section. And, then they make the determination if it is visible to put into the computer system known as AFIS. If it is not, that fingerprint is on file. Our Property Section has over 2 million fingerprint lifts on file.

**Comm. Norris** asked what is if it is usable? Does that system automatically check against prints?

**Sgt. Babcock** stated yes, once that gets to the Latent Print Section, it is put into the AFIS system. So, it just doesn't get put away some place and disappear.

**Vice-Chairperson Ramirez** asked how many fingerprint technicians do you currently have?

**Sgt. Babcock** stated we have eighteen (18) sworn officers that are on the street and we have less than ten (10) non-sworn technicians. They only work two shifts because we can't let them work at dark. So, they work at 8 a.m. to 4 p.m. and 11 a.m. to 7 p.m. or 12 p.m. to 8 p.m.

**Vice-Chairperson Ramirez** asked is there any difference when you have a juvenile versus an adult?

**Lt. Scrutchin** stated the Identification Unit keeps juvenile prints on a separate file.

**Chairperson Blackwell** asked would your unit be more effective if you had four cars instead of two cars?

**Sgt. Babcock** stated that would be wonderful.

**Chairperson Blackwell** stated it would make sense for us to try to find a way to reorganize some of the resources, so that your services could be expedited. What do we need to increase your manpower?

**AC Martin** stated 3<sup>rd</sup> DC Paula Lytle is currently looking into some things. We are also going to look at how we redistribute manpower. When we see a pattern, it is not just up to the Science and Tech to identify the pattern, that's up to the precinct commander. One of the things that we do under my portfolio is the Police Community Services Unit. They organize the neighborhoods and talk to the community.

**Comm. Norris** commended the Forensic Sciences Section for investigating a number of breaking & enterings (B&E's) that took place in Indian Village because it increased the community confidence in the police department.

**AC Martin** stated the police department is trying to put in place the Pawn Broker Ordinance. It requires that all pawn shops are to input data into a system that the police department could have access to. According to other cities, it helped to reduce burglaries.

**Comm. Holley** asked how does the department rank throughout the state and the country?



**3<sup>rd</sup> DC Lytle** stated we are a full service laboratory. There are only three areas that we don't cover and those are listed in the presentation. As far as, nationwide, we consider our lab as a local lab that is run by a municipality. Across the country, mostly local labs are in the same situation. They are short staffed and seeking federal money for funding because the cities usually don't come through with enough funding for us. As far as, the state systems, they tend to pour a lot of money into their laboratory. Currently, our lab is short staffed in the Biology Unit, which does the DNA testing. We have a large backlog in the DNA Unit. We have backlogs in our Latent Unit, which does the treating of the objects for Latent fingerprints.

The Biology Unit is going to switch over to automation. We received a 2004 DNA capacity grant and the money was available in September, but it just got approved by the Council for us to accept. So, that money is coming and by this summer we will have the new instruments in. The instruments will have to go through a validation process, which takes about nine months to do. So, it won't be until about next February or March before we will be able to use those instruments on case works.

**Comm. Holley** asked when there is a murder scene, who cleans the scene or could we find someone to do the job or do we have a department that handles that?

**DC Motley** stated that is not our responsibility, but what we try to do is get the fire department to come out and help us in those situations. The officers are not equipped to do that.

**Chairperson Blackwell** asked within the next meeting or two if you can give us a strong statement, like a paradigm shift on what we've doing to say Commissioners this is what we need you to do and we will do it. I think all of us are committed to go to the Mayor and City Council and say we just have to have this. We might have to ask our Congressional Delegation for some emergency money.

**AC Martin** stated I will speak to the Chief and we will have an answer for you.

## **7. OTHER BUSINESS**

**Chairperson Blackwell** stated on behalf of the Board, I would like to extend our condolences to the family of former Chief Robert Butler, who worked for the Detroit Fire Department for thirty-eight (38) years.

**AC Martin** stated funeral services for former Chief Robert Butler will be held at Coles Funeral Home at 9:00 a.m.

## **8. ANNOUNCEMENT OF NEXT MEETING**

Thursday, April 14, 2005 @ 6:30 p.m.  
Saint Maron Cathedral Rectory  
11466 Kercheval Street  
Detroit, MI 48214  
313-824-0196

## **9. ORAL COMMUNICATION FROM THE AUDIENCE**

**Ron Scott** asked what is the process for when an officer is shot versus a citizen who has been shot in regards to the Forensic Services Section? Is the procedure the same when you collect evidence?

What are the latent prints? Where are they kept? For whom are they kept? How long are they kept?

**Chairperson Blackwell** asked under the Freedom of Information Act, does a person have a right to find out if their prints are there?

**Comm. Norris** stated yes.

**Mr. Scott** asked if so, what can we do with them? Can we get a copy of them? Can we find out what agencies they have been shared with? What circumstances have they been sought?

**AC Martin** stated regardless of what type of shooting or incident it is, there is no disparity in terms of how that crime scene is processed. All of the evidence that is evidence is collected and processed regardless if it is a police shooting or a civilian.

**Mr. Scott** stated some citizens are interested in terms of how things are done in terms of the internal transformation of the department as well as externally what's done for the citizens when something comes up. I think we should be a little more aggressive rather than to say it is somebody else's job to clean up something. Somebody should clean it up immediately.

**AC Martin** stated I think when the deputy chief was speaking; it was mainly on public access areas. Insp. Fields has a policy in place that states after the conclusion, the investigator is supposed to notify the fire department to come to the scene to hose it down and to disperse any type of blood or any other matter on the street.

**Mr. Scott** asked is that in process now?

**AC Martin** stated yes, but I will check with Insp. Fields.

**Mr. Scott** asked if the crime scene is a home, then that person is responsible for it?

**AC Martin** stated it is their responsibility; we can't go in and clean up their house for them. Some of them may not want us in there to do that type of activity.

**Mr. Scott** stated it seems to be problematic, I think we need to look at that.

**Chairperson Blackwell** stated I think that it wouldn't be appropriate for a police officer, who is there to collect the evidence. What we are saying is that it might require the city to look at a cleanup crew to come afterwards.

**AC Martin** stated I recall Insp. Fields had looked into some private companies, but I will check to see if we have gathered a list as of yet.

**Tawana Morris** stated it is very traumatic

**Pamela Turner** asked if you are having a problem at your home, why does it take five (5) to six (6) calls to 911 for the police to come out and sometimes they never show up?

**Chairperson Blackwell** asked what was the situation that occurred in your home?

**Ms. Turner** stated someone forced their way into my home and would not leave.

**Chairperson Blackwell** stated you can call 311 for non-emergency type issues.

**DC Motely** stated I will find out what her problem is after the meeting and try to address it.

**Ms. Walters** voiced concerns that the community needs to prepare children at an early age in the fields of science or biology.

## 10. ADJOURNMENT

The meeting was adjourned at 4:18 p.m.

Respectfully submitted,

**DANTE' L. GOSS**  
Executive Director  
Board of Police Commissioners

**DLG/kdw**